

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

James Luvene,

Plaintiff,

vs.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Warden R.L. Morrison,

Defendant.

Civ. No. 06-1232(MJD/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

That the Petition for Writ of Habeas Corpus [Docket No. 1] is granted, in part, as more fully described in the text of the Report and Recommendation, dated January 3, 2007.

s/Michael J. Davis  
Michael J. Davis, Judge  
United States District Court

DATED: February 2, 2007  
At Minneapolis, Minnesota